

**MINUTES OF PUBLIC MEETING  
FOR THE CORRECTIONS OFFICER RETIREMENT PLAN LOCAL BOARD  
FOR THE SUPERIOR COURT**

A Public Meeting of the Corrections Officer Retirement Plan Local Board for the Superior Court was convened Tuesday, December 4, 2012, at 10:00 a.m., Conference Room 109, Arizona State Courts Building, 1501 West Washington Street, Phoenix, Arizona.

**Members Present:**

Kevin Kluge, Chair; Phil Hanley; Mark Smalley; Rob Lubitz; Jason Hathcock

**Also Present:**

Annette Corallo, Board Secretary; Blanca Moreno, Recorder; Michael Anthony, Board Attorney; Hannah Auckland, Board Attorney; Court Reporter, Ottmar & Associates

**Call to Order**

**Approval of the Minutes:**

- a. November 6, 2012, Public Meeting Minutes
- b. November 6, 2012, Transcript of Proceedings

The Chair noted a correction to the Public Meeting Minutes: the word “the” in Motion 2012-63 on page 2, following the words “a mental condition” should be changed to “that.” There were no further corrections to the minutes.

**MOTION: A motion to approve the November 6, 2012, Public Meeting Minutes and Transcripts was made by M. Smalley.** Motion was seconded and passed unanimously; minutes stand approved. **CORP 2012-68**

**Consideration of Disability Applications:**

The Local Board may vote to go into Executive Session to discuss medical documentation and receive legal advice for the following disability applications pursuant to A.R.S. 38-431.03 (A)(2 & 3):

- a. #12-01 – Pending IME; Additional Medical Documentation

The Board received Application #12-01 for Ordinary Disability on May 29, 2012. At the June 6, 2012 meeting, the Board approved a motion to seek more information with respect to current medical status, and reports of medical treatments and findings since February 29, 2012. On June 28, 2012, the Board received additional documentation addressing medical treatment and findings since February 29, 2012. However, at its July 9, 2012 meeting, the Board moved to hold Application #12-01 until further medical documentation was obtained and the employment status of the applicant could be clarified. On September 14, 2012, the Board received from

Applicant #12-01 a copy of a letter to the applicant from Tim Hardy, Yuma County Juvenile Justice Center Director, which stated that if the applicant did not return to work after September 5, 2012 with a full medical release, the applicant would be separated without prejudice from employment with Yuma County Juvenile Justice Center. Applicant #12-01 informed the Board Secretary via telephone that the applicant did not return to work on September 6, 2012 and was subsequently separated from employment. Staff requested the applicant submit a letter explaining or documenting the separation from service, along with current reports of medical treatment and findings. No additional medical documentation was received before the Board's further consideration of the application at the October 4, 2012 meeting.

Applicant #12-01 attended the Board's October 4, 2012 meeting via conference call and informed the Board an IME was scheduled on October 10, 2012 with a doctor selected by Risk Management for the county. The Board approved a motion to refer Applicant #12-01 for a CORP IME only after Board receipt of all medical documentation dating from June 2012 through October 2012 (to include the findings of the examination scheduled for October 10, 2012). In a telephone call in early November 2012, the applicant advised the Board Secretary that several requests for a copy of the Risk Management IME were made, but a copy of the report had not yet been received. The Board Secretary has not yet scheduled an IME for Applicant #12-01 because the results of the examination conducted on October 10, 2012 have not been received. Additionally, the most recent medical reports provided by the applicant only date through August 29, 2012.

On October 17, 2012, the Board office received medical reports detailing visits to Dr. John Serocki on August 15, 2012 and Dr. Jeremy Curry of Yuma Valley Advanced Pain Management on August 29, 2012. The Board noted that Dr. Curry's report referenced treatment by a Dr. Wallace; however, no reports detailing the treatment by Dr. Wallace have been submitted. The Board asked its Attorney if the Board could request medical records from all treating doctors mentioned. The Board Attorney stated the Board has subpoena power, and can request any and all medical documentation directly from providers pertaining to the applicant.

The Board Secretary recommended that the Board request complete records for the applicant from all medical providers listed in Application #12-01 and noted in the medical evidence submitted to date, to ensure that full records are available to the Board's IME doctor for consideration as part of the IME.

**MOTION: A motion to direct the Board Secretary to obtain medical records for Applicant #12-01 directly from all providers listed in the application dated May 29, 2012, and to provide those records to the Board's IME doctor for review as part of the IME was made by P. Hanley. CORP 2012-69**

Board member Mark Smalley suggested the motion state the end date of the request as the present date, instead of limiting it to providers listed in the May 29, 2012 application, in order to include any medical evidence after May 29, 2012 that may be significant.

Board member Jason Hathcock requested the Board receive proof of the applicant's termination from Yuma County Juvenile Justice Center.

Board member Rob Lubitz requested the motion include direction to the Board Secretary to obtain medical records from any provider referenced throughout the medical evidence, not just those listed on the application.

Board member Phil Hanley retracted his previous motion.

**MOTION: A motion to direct the Board Secretary to (1) obtain all medical records from all providers listed in Application #12-01 as well as those that have been referenced in the medical records submitted by the applicant, (2) contact the employer directly to obtain a copy of the IME performed for Risk Management, and (3) send the applicant a letter requesting all other medical documentation to the present date was made by P. Hanley.** Motion was seconded and passed unanimously. **CORP 2012-70**

**MOTION: A motion to direct the Board Secretary to obtain proof and reason for termination (if possible) was made by J. Hathcock.** Motion was seconded and passed unanimously. **CORP 2012-71**

b. #12-03 – Approval of Benefit Amount

The Board approved Applicant #12-03 for Ordinary Disability benefits at its meeting on November 6, 2012. The Board did not approve the amount of the disability benefit at the November 2012 meeting because the calculation of the benefit was still pending receipt of required information from Coconino County. Coconino County provided confirmation of Applicant #12-03's termination and service dates, and a benefit amount was calculated.

**MOTION: A motion to approve the payment of Ordinary Disability benefits to applicant #12-03 in about the amount of \$452.04 per month was made by R. Lubitz.** Motion was seconded and passed unanimously. **CORP 2012-72**

**Approval of Normal Retirement:**

The Local Board may consider and vote on the approval of Normal Retirement benefits for the following applications or defer decision to a later date:

- a. Pamela Hamlett
- b. Pamela Morrow (R-DROP)
- c. Derrick Platt
- d. Elaine Riegner

The Board Secretary noted for the record that the effective retirement date for all applicants except Mr. Platt is December 1, 2012. Mr. Platt's effective CORP retirement date was November 1, 2012, so he will receive a retroactive benefit check.

**MOTION: A motion to approve the payment of Normal and Reverse DROP Retirement benefits to the following applicants in about the following amounts was made by J. Hathcock. Motion was seconded and passed unanimously. CORP 2012-73**

Pamela Hamlett:	\$2,125.52	
Pamela Morrow:	\$4,134.27	(R-DROP Payout of \$186,342.66 estimated)
Derrick Platt:	\$3,264.49	
Elaine Riegner:	\$1,745.85	

**CORP Physical Exam Final Letters:**

a. Brenton Good

The Board noted, for the record, that a physical examination report for Brenton Good was not received within 60 days of receipt of his membership application and that a final letter requesting an examination was sent via certified mail on November 19, 2012.

**CORP Physical Pre-Existing Conditions:**

a. Amanda Seybold

The Board approved Ms. Seybold for CORP Membership at the November 6, 2012 meeting. Her physical exam report was received after a 60-day notice was sent to her on October 22, 2012. The Board noted for the record that the physical exam report for Ms. Seybold identified a pre-existing condition. Ms. Seybold will be sent a pre-existing condition letter.

**Approval of Membership:**

The Local Board may consider and vote on the approval of the following requests for membership or defer decision to a later date:

a.	Barkhurst, Jessie	Pima	10/9/2012
b.	Beckhart, Benjamin	Maricopa	10/29/2012
c.	Clark, Katrina	Maricopa	10/29/2012
d.	Day, Brett	Maricopa	10/29/2012
e.	Garcia, Eunice	Maricopa	10/15/2012
f.	Good, Brenton	Maricopa	9/4/2012
g.	Penafiel, Ha'ani	Maricopa	10/29/2012
h.	Pickard, Karen	Maricopa	10/29/2012
i.	Segarra, Suzanne	Maricopa	11/13/2012
j.	Stone, Jennifer	Maricopa	10/29/2012
k.	Walker, Ronnie	Mohave	8/27/2012
l.	Wheatley, LaTonya	Maricopa	10/15/2012
m.	Wiggin, Hillary	Pima	10/15/2012

The Board noted, for the record, that the physical examinations for applicants Brett Day, Karen Pickard, and Suzanne Segarra identified a physical or mental condition or injury that existed or occurred before the member's date of membership in the plan.

**MOTION: A motion to approve the 13 named employees requesting membership into CORP was made by M. Smalley.** Motion was seconded and passed unanimously. **CORP 2012-74**

**Discuss CORP Election Process:**

Board Member Mark Smalley's term will expire on June 30, 2013. Pursuant to A.R.S. 38-893, the Board will conduct an election to select a member to fill that position on the Board effective July 1, 2013. The Board Secretary presented the Board with a proposed outline of the 2013 election process and advised that unless otherwise directed by the Board, staff will begin the election process in December 2012. The Board agreed to start the election process in December. The Chair requested that staff provide status updates to the Board throughout the election process.

**Call to Public:**

No members of the public addressed the Board.

The meeting was adjourned at 10:18 a.m.

Transcribed December 4, 2012